

**REMARKS**

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance.

Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 1–8 are in the present application. It is submitted that these claims, are patentably distinct over the prior art cited by the Examiner, and that these claims are in full compliance with the requirements of 35 U.S.C. § 112. Changes to the claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

The drawings were objected to because drawing sheet 12 does not have a figure number and is not explained within the specification. In response, Applicants have deleted drawing sheet 12/12. Note this drawing sheet is not a figure and is simply a listing of various reference numbers used in the figures to comply with PCT practice. Accordingly, Applicants believe this objection has been overcome.

Claims 1 was rejected under 35 U.S.C. § 102(e) as being anticipated by Kretz et al. (U.S. Patent 6,502,241). The present invention is a “transmitting apparatus for transmitting contents data and corresponding meta data over a network.” (Claim 1) Whereas, Kretz discloses broadcasting teletext information to form menus (i.e. an EPG) in the “flyback period” of a broadcast video signal. Hence, Kretz fails to disclose transmitting content and meta data over a

network as required in the present claims. The present invention addresses problems which occur when attempting to transmit broadcast text information, similar to that taught in Kretz, over a network. (Specification page 3, lines 16-27) These problems occur, at least in part, because the broadcast formatted content (e.g. a program) must be segmented (or packetized) for transmission over the network. During segmentation, meta data (e.g. program information) corresponding to the overall content must be correlated (e.g. linked) with each segment. For this reason, the present invention has “meta data combining means for combining the corresponding meta data and segmentation information for the segmented contents data.” (Claim 1) In this manner, each segment of the contents data can be linked to the corresponding meta data from the entire contents data. The Examiner asserts Kretz’ program header information is analogous to the present invention’s segmentation information. (Office Action page 3) Actually, this program information is analogous to the meta data corresponding to the entire program. Kretz simply does not disclose segmenting a program, or correlating meta data with each segment of the program. Accordingly, for at least these reasons, Kretz fails to anticipate the present invention and the rejected claims should now be allowed.

Claim 2 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Kretz in view of Matthews et al. (U.S. Patent 6,025,837). In addition to the reasons discussed above in relation to Kretz, the present invention is also not obvious in view of Matthews for at least the following reasons. The Examiner contends Matthews’ Figure 2 discloses “segmentation information” similar to that claimed in the present invention. However, Matthews’ Figure 2 is a table of meta data for a number of programs. There is no disclosure that any of these programs has been segmented. In the present invention, the segmentation information indicates how the contents

data was segmented (or packetized) into segments. For example, the segmentation information might include start and end times (or markers) for each segment so that the segments can be reproduced in order. Hence, Matthews fails to disclose “segmenting said contents data and generating segmentation information of the contents data” as recited in the present claims. Accordingly, for at least these reasons, Kretz and Matthews fail to obviate the present invention and the rejected claims should now be allowed.

Claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Kretz in view of Leibenow (U.S. Patent 6,530,083). Claim 6 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Kretz in view of Leibenow and Matthews. However, Liebenow is relied upon solely to meet the canceled “user profile operating means” limitations and, like Kretz and Matthews, fails to meet the limitations discussed above. Accordingly, for the previously discussed reasons, Applicants believe the rejected claims should now be allowed.

Claims 3 and 4 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kretz in view of Hawkins et al. (U.S. Patent 6,005,561). Claims 7 and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kretz in view of Matthews and Hawkins. However, Hawkins is relied upon solely to meet limitations in the dependent claims and, like Kretz and Matthews as discussed above, fails to meet the limitations of the independent claims. Accordingly, for the previously discussed reasons, Applicants believe the rejected claims should now be allowed.

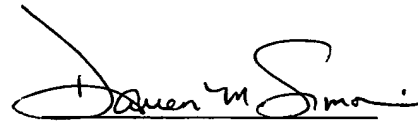
In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

No additional fees are deemed to be required for the filing of this amendment, but if such are, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,  
FROMMER LAWRENCE & HAUG LLP

By:



Darren M. Simon  
Reg. No. 47,946  
(212) 588-0800